

## **II. REMARKS**

Claims 12-14, 16, 18-20, 22 and 30-73 were pending. In this Response, claims 12-14, 16, 18-20, 22, 30-35 and 50-61 are canceled, claims 36, 43, 62 and 68 are amended, and new claims 74-83 are added. Thus, with this Amendment, claims 36-49 and 62-83 are presented for consideration.

The amendments to claims 36, 43, 62 and 68 are based on the helpful suggestions of the Examiner on pages 2 and 7 of the Office Action, and are supported by the specification, for example on page 3, line 16 through page 4, line 10. New claims 74-83 are supported, for example, by original claims 24-29 and their corresponding disclosure in the specification. No new matter has been added.

### **Claim Rejection – 35 U.S.C. § 112, First Paragraph**

Claims 36-49 and 62-73 stand rejected under 35 U.S.C. § 112, first paragraph, as being non-enabled. The Examiner indicates that the specification is “enabling for a method of *reducing the incidence of mortality or sudden death caused by reoccurrence of cardiovascular events* in a patient who has survived a myocardial infarction” (see page 2 of the Office Action). On page 7 of the Office Action, the Examiner indicated that if the claims were amended to include such limitations, the rejection would be overcome.

Applicant has amended claims 36, 43, 62 and 68 to include the language proposed by the Examiner. In addition, new claims 74 and 79 contain similar language.

Thus, with these amendments, Applicant submits that the enablement rejection should be withdrawn.

Claim Rejection – 35 U.S.C. § 103(a)

Claims 12-14, 16, 18-20, 22, 30-35 and 50-61 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Breivik *et al.* (U.S. Patent No. 5,502,077) in view of Harrison's Principals of Internal Medicine, 13<sup>th</sup> Edition.

Claims 12-14, 16, 18-20, 22, 30-35 and 50-61 have been canceled, thus rendering this rejection moot.

### **III. CONCLUSION**

Applicant submits that the application is in condition for allowance and requests favorable action thereon.

In the event that this paper is not timely filed, Applicant requests an appropriate extension of time. The fee for such an extension or any other fee deficiency may be charged, or any overpayment with respect to this paper may be credited, to Deposit Account Number 01-2300, referencing Attorney Docket Number **026392-00095**.

Respectfully submitted,

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